

SPECIAL USE DISTRICTS ZONING ORDINANCE

OF

MARION COUNTY, INDIANA

METROPOLITAN PLANNING DEPARTMENT
1966

Officially adopted
July 6, 1966

SPECIAL USE DISTRICTS ZONING ORDINANCE

OF

MARION COUNTY, INDIANA

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SPECIAL USE DISTRICTS ZONING ORDINANCE

OF

MARION COUNTY, INDIANA

WHEREAS, Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, established a single planning and zoning authority in counties having first-class cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Plan Commission and the County Council of such counties having first-class cities, in order to unify the planning and zoning functions thereof; and

WHEREAS, no uniform regulations for the zoning and districting of land within the various political units within and a part of Marion County, Indiana, had previously existed, although the conditions relating to the use and development of said land are in many cases identical; and

WHEREAS, the Metropolitan Plan Commission of Marion County, Indiana has adopted and certified, pursuant to Chapter 283 of the Acts of Indiana General Assembly for 1955, as amended, various segments of its ORIGINAL COMPREHENSIVE OR MASTER PLAN OF MARION COUNTY, INDIANA, including a LAND USE MAP OF MARION COUNTY, INDIANA, adopted by Resolution 62-CPS-R-2 on August 8, 1962, and a COMPREHENSIVE GENERAL LAND USE PLAN FOR MARION COUNTY, INDIANA, adopted by Resolution 65-CPS-R-1 on May 12, 1965; and

WHEREAS, said Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, empowers the Metropolitan Plan Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the County Council an ordinance of ordinances for the zoning or districting

of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience and general welfare may be promoted;

NOW THEREFORE BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957 and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and all zoning ordinances adopted as parts thereof be amended, pursuant to said Chapter 283 by the addition of the following provisions:

CHAPTER I

ESTABLISHMENT OF SPECIAL USE ZONING DISTRICTS-- PERMITTED USES

SECTION 1.00

The following primary SPECIAL USE ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County, including the incorporated and unincorporated portions thereof, hereafter zoned to said district classifications shall be designated on the applicable zoning maps by the following zoning district symbols, respectively (which maps are a part of said Ordinance No. 8-1957, as amended and are hereby incorporated by reference and made a part of this ordinance). No use shall be permitted in any SPECIAL USE ZONING DISTRICT other than the following permitted use or uses specified for each said DISTRICT, respectively:

<u>SPECIAL USE ZONING DISTRICT</u>	<u>ZONING DISTRICT SYMBOL</u>	<u>PERMITTED USE</u>
SPECIAL USE DISTRICT I	SU-1	CHURCHES.
SPECIAL USE DISTRICT II	SU-2	SCHOOLS.
SPECIAL USE DISTRICT III	SU-3	GOLF COURSES, GOLF DRIVING RANGES.
SPECIAL USE DISTRICT IV	SU-4	AIRPORT OR LANDING FIELDS.
SPECIAL USE DISTRICT V	SU-5	RADIO RECEIVING OR BROADCASTING TOWERS AND ACCESSORY BUILDINGS.
SPECIAL USE DISTRICT VI	SU-6	HOSPITALS AND SANITARIUMS.
SPECIAL USE DISTRICT VII	SU-7	CHARITABLE AND PHILANTHROPIC INSTITUTIONS.
SPECIAL USE DISTRICT VIII	SU-8	CORRECTIONAL AND PENAL INSTITUTIONS.
SPECIAL USE DISTRICT IX	SU-9	BUILDINGS AND GROUNDS USED BY ANY DEPARTMENT OF TOWN, CITY, TOWN- SHIP, COUNTY, STATE OF FEDERAL GOVERNMENT.
SPECIAL USE DISTRICT X	SU-10	CEMETERIES.
SPECIAL USE DISTRICT XI	SU-11	AUTO WRECKING AND JUNKING.
SPECIAL USE DISTRICT XII	SU-12	JUNKYARDS--IRON, RAG, PAPER-- STORAGE OF BAILING.
SPECIAL USE DISTRICT XIII	SU-13	RUBBISH DUMPS.
SPECIAL USE DISTRICT XIV	SU-14	GARBAGE FEEDING AND DISPOSAL.
SPECIAL USE DISTRICT XV	SU-15	THE RAISING OR MAINTENANCE OF ANIMALS OR LIVESTOCK FOR BIOLOGICAL PURPOSES OR FOR THEIR FUR OR PELTS.
SPECIAL USE DISTRICT XVI	SU-16	AMUSEMENT PARKS AND SWIMMING POOLS PRIVATELY OWNED AND OPEN TO PUBLIC PATRONAGE.

<u>SPECIAL USE ZONING DISTRICT</u>	<u>ZONING DISTRICT SYMBOL</u>	<u>PERMITTED USE</u>
SPECIAL USE DISTRICT XVII	SU-17	AUTOMOBILE RACE TRACKS, SPEEDWAYS.
SPECIAL USE DISTRICT XVIII	SU-18	LIGHT AND POWER SUBSTATIONS.
SPECIAL USE DISTRICT XXIV	SU-19	DRIVE-IN THEATRES.
SPECIAL USE DISTRICT XX	SU-20	(This number reserved for a future special use amendment).
SPECIAL USE DISTRICT XXI	SU-21	DOG KENNELS, BOARDING AND BREEDING.
SPECIAL USE DISTRICT XXII	SU-22	LIVESTOCK SALES YARDS AND AUCTION YARDS.
SPECIAL USE DISTRICT XXIII	SU-23	PERMANENT GRAVEL AND SAND PROCESSING PLANT AND STOCK PILING.
SPECIAL USE DISTRICT XXIV	SU-24	ABATTOIR.
SPECIAL USE DISTRICT XXV	SU-25	ASPHALT HANDLING.
SPECIAL USE DISTRICT XXVI	SU-26	GLUE MANUFACTURING.
SPECIAL USE DISTRICT XXVII	SU-27	LIVESTOCK KILLING OR MET PROCESSING
SPECIAL USE DISTRICT XXVIII	SU-28	PETROLEUM REFINERIES AND PETROLEUM PRODUCTS STORAGE.
SPECIAL USE DISTRICT XXVIV	SU-29	REDUCTION PLANTS.
SPECIAL USE DISTRICT XXX	SU-30	ROCK CRUSHING, GRINDING OR MILLING.
SPECIAL USE DISTRICT XXXI	SU-31	SLAUGHTER HOUSE.
SPECIAL USE DISTRICT XXXII	SU-32	STOCK YARDS.
SPECIAL USE DISTRICT XXXIII	SU-33	PHARMACEUTICAL LABORATORIES.
SPECIAL USE DISTRICT XXXIV	SU-34	a. CLUB ROOMS
		b. FRATERNAL ROOMS--FRATERNITY AND LODGE
		c. BALLROOMS--PUBLIC
SPECIAL USE DISTRICT XXXV	SU-35	TELECOMMUNICATION RECEIVING OR BROADCASTING TOWERS AND ASSOCIATED ACCESSORY BUILDINGS. Telecommunication is defined by the Federal Communications Commission as: "Any transmission, emission or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems. Said definition is hereby made a part of this section.
SPECIAL USE DISTRICT XXXVI	SU-36	RIDING ACADEMIES, COMMERCIAL STABLES.
SPECIAL USE DISTRICT XXXVII	SU-37	LIBRARY.
SPECIAL USE DISTRICT XXXVIII	SU-38	COMMUNITY CENTER.
SPECIAL USE DISTRICT XXXVIV	SU-39	WATER TANKS AND SIMILAR STRUCTURES NOT LOCATED ON BUILDINGS.
SPECIAL USE DISTRICT XXXX	SU-40	DANCE STUDIOS (for instruction purposes only).
SPECIAL USE DISTRICT XXXXI	SU-41	SEWAGE DISPOSAL PLANT.

CHAPTER 11

SPECIAL USE DISTRICT REGULATIONS

SECTION 2.00

The following regulations shall apply to all land within the SPECIAL USE DISTRICTS.

A. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structures or facilities affected.

B. All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. VIBRATION No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
2. SMOKE No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringlemann Scale, as now published and used by the U. S. Bureau of Mines, which scale is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.

3. DUST No use shall cause dust, dirt or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property.
 4. NOXIOUS
MATTER No use shall discharge across the lot lines noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
 5. ODOR No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
 6. SOUND No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat frequently, shrillness or vibration.
 7. HEAT AND
GLARE No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
 8. WASTE
MATTER No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana or in such a manner as to endanger the public health, safety or welfare or cause injury to property.
- C. All uses permitted within the SPECIAL USE DISTRICTS shall be provided with adequate off-street parking and loading spaces.

CHAPTER III

SECTION 3.00 SEVERABILITY

If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

H. Norris Cottingham

Ronald E. Bingman

James A. Buck

Beurt R. Servaas

William A. Brown

THE MARION COUNTY COUNCIL

OF

MARION COUNTY, INDIANA

DATED: July 6, 1966

ATTEST: John T. Sutton
AUDITOR OF MARION COUNTY, INDIANA